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09/829,883	04/10/2001	Scott A. Rawson	IR-2819(MF)	8545

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Edward F Murphy III
Lord Corporation
Post Office Box 8012
Cary, NC 27512-8012

EXAMINER	
KING, BRADLEY T	
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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/829,883
Filing Date: April 10, 2001
Appellant(s): RAWSON, SCOTT A.

Edward F. Murphy III
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed July 7, 2005 appealing from the Office action mailed May 28, 2004.

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(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct, with exception to the following withdrawn rejection.

WITHDRAWN REJECTIONS

The following grounds of rejection are not presented for review on appeal because they have been withdrawn by the examiner.

Nowak in view of Kubaugh.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US# 2538658	Saurer	1-1965
US# 5116030	Nowak	5-1992

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-2, 10-13, 17-18, and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saurer (US# 2538658) in view of Nowak et al (US# 5116030).

Sauer discloses a vibration isolator including: (a) an inner member 2 for attachment to a suspended body, said inner member comprising a seat having an outer periphery diameter D'; (b) an outer member for attachment to a planar support structure 8, said outer member comprising a planar base defining a base plane and a shroud 1 that extends away from the planar base and said base plane, the shroud extending to overlay the inner member outer periphery diameter D', said shroud having a segment

with an inner surface, said shroud defining an inner periphery diameter D", said inner periphery diameter D" less than said outer periphery diameter D', said inner member not extending through said outer member base plane; and (c) consisting essentially of a single sole resilient member 3 constrained between the shroud segment inner surface and the inner member seat surface, said single resilient member having a cross section, said single resilient member bonded to said shroud angled segment inner surface and said inner member seat surface, wherein said seat outer periphery diameter D' providing an interference with said shroud inner periphery diameter D" to prevent a separation of the vibration isolation member in the event of a failure of said single resilient member, wherein said single sole resilient member is the sole resilient member providing for isolation between the suspended body and the support structure. Saurer lack the shaped seat and angled segment arrangement which provides iso elastic stiffness to the device. Nowak et al teach a similar isolator including the use of a frustoconical seat and the use and selection of shroud and frustoconical seat angles to provide iso elastic stiffness in the mount. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize an angled seat/shroud segments and select the angles of the shroud and seat as taught be Nowak et al in the isolator of Saurer to provide isoelastic characteristics to the mount, thereby allowing uniform damping characteristics regardless of the direction of the load.

(10) Response to Argument

Regarding Sauer in view of Nowak, it is noted that while an "anti-stick" composition is used, the elastomer is still bonded to the shroud with adhesive and remains bonded until a certain loading force is applied. See Sauer, column 4, lines 13-35. Therefore, the segment 5 is initially bonded to the elastomer. Sauer also has portions near the numeral 1 that remain bonded. Regarding the single sole resilient member constrained between the shroud angled segment inner surface and the inner member seat surface, Sauer discloses a single resilient member, the majority of which is constrained between the inner and outer members. Nowak teaches the angled seat and housing segments for providing iso-elastic spring and damping characteristics to mounts, with the benefits of providing proper damping in response to both axial and radial forces. It is maintained that it would have been obvious to one of ordinary skill in the art to modify the housing and inner member of Sauer according to the teachings of Nowak to provide a greater degree of iso-elastic damping. Regarding the unconstrained portions of Sauer, it is noted that the claims only require that the isolation member provide "substantially equal" dynamic stiffness in the radial and axial directions. It is maintained that the rejection is proper.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

BTK

Conferees:

CM

RS

ROBERT A. SICONOLFI
PATENT EXAMINER

9/19/05